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September 27, 2007

via fax (202) 245-0454
and original and two copies by mail

Surface Transportation Board
Case Control Unit
Washington, DC 20423

Attention: Ms. Christa Dean

Re: STB Docket No. AB-290 (Sub-No. 293X), Norfolk Southern Railway
Company - Abandonment - Petition for Exemption - Norfolk and Virginia
Beach, Virginia - Comments on Environmental Assessment

Dear Ms. Dean:

The environmental assessment in this proceeding recommends that the Board impose four environmental conditions on any decision granting Norfolk Southern Railway Company ("NSR") abandonment authority for the subject 15.34 miles of railroad line between Mileposts VB-0.12 in Norfolk and VB-15.46 in Virginia Beach, VA (the "Line"). One of the recommended conditions concerns completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f. In the attached letter of August 23, 2007 from the Virginia Department of Historic Resources to Ms. Victoria Rutson, Chief of the Section of Environmental Analysis, Ms. Tonia Horton reported that neither the line segment nor any structures on the line proposed for abandonment are eligible for the National Register of Historic Places and the Virginia Landmarks Register. Therefore, NSR believes the Section 106 process has been completed in this proceeding and requests that the Section 106 process condition not be imposed in any Board decision granting abandonment authority in this matter.

In addition, NSR requests that the Board clarify that the other recommended conditions, which relate to possible salvage activities on the Line, will not apply to the segment of the Line located within the City of Norfolk, VA, between the Line's western terminus at Milepost-VB 0.12 and Milepost VB-4.8 (the "Norfolk Segment") and will not

Ms. Christa Dean
STB Docket No. AB-290, Sub-No. 293X
September 27, 2007
Page 2 of 2

prevent consummation of the abandonment of the Norfolk Segment, provided NSR does not perform any salvage operations on the Norfolk Segment of the Line and conveys the Line intact to the City of Norfolk for use as a public transit corridor.

In NSR's petition for exemption filed July 19, 2007 and NSR's motion to strike and for other relief filed September 6, 2007 NSR stated that under a Purchase and Sale Agreement with the City of Norfolk, VA, NSR has agreed to sell the right-of-way, track and materials of the Norfolk Segment to the City. The City's project is described in more detail in the Verified Statement of Stanley A. Stein, Assistant City Manager for the City of Norfolk, Virginia, which is attached to NSR's filing made September 6, 2007. Since the City plans to acquire the Norfolk Segment with track, bridges and other improvements intact, NSR will conduct no salvage operations on the Norfolk Segment.

The City wishes to begin work on the light rail project as soon as possible after NSR receives authority to abandon the Line and can consummate abandonment of the Norfolk Segment. The three further recommended conditions relate to salvage activities but NSR will convey the Line intact to the City of Norfolk and will not undertake salvage activities on the Norfolk Segment of the Line. Under these circumstances, NSR and the City wish to clarify that the recommended conditions will not apply to the Norfolk Segment, provided NSR performs no salvage operations on that segment and conveys it intact to the City of Norfolk, in order to prevent any question from arising or any delay in the consummation of the abandonment of the Norfolk Segment and the conveyance of that segment of the Line from NSR to the City of Norfolk. Therefore, on behalf of itself and the City, NSR asks the Board to state specifically that NSR need not comply with the salvage conditions if NSR does not perform any salvage operations on the Norfolk Segment, but rather conveys that segment intact to the City of Norfolk.

Thank you for your consideration of this matter.

Very truly yours,


James R. Paschall

Encl.

cc: via fax (202) 245-0454
Mr. Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001
cc: via e-mail Ms. Christa Dean



COMMONWEALTH of VIRGINIA

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Secretary of Natural Resources

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August 23, 2007

Ms. Victoria Rutson
Surface Transportation Board
Environmental Analysis Section
395 E Street, SW
Washington, DC 20423

RE: Abandonment of 15.34 Miles of Norfolk Southern Railway, Mileposts VB 0.12 to VB 15.46
City of Norfolk, City of Virginia Beach, VA
DHR File No. 2007-0837

Dear Ms. Rutson:

We have received a request to review and comment upon the above-referenced project pursuant to Section 106 of the National Historic Preservation Act. It is our understanding that Norfolk Southern Railway proposes to abandon 15.34 miles of rail line with a sixty-four foot right of way between VB 0.12 and VB 15.46. Specifically, rail line between milepost VB 4.8 and VB 0.12 will be acquired by the City of Norfolk for use as a public transit corridor, with no proposed salvage. There is no definite plan for the remainder of the line between VB 4.8 and VB 15.46.

We concur with your recommendation that neither the line segment nor any structures on the line proposed for abandonment are eligible for the National Register of Historic Places and the Virginia Landmarks Register. There will be no historic properties affected by this project. We would encourage Norfolk Southern Railway, however, to continue to pursue options such as walking or biking trails or other public transit opportunities for the abandoned line segment.

Please contact me if you have any questions regarding our comments. I may be reached at tonia.horton@dhr.virginia.gov, or by phone at (804) 367-2323, extension 137.

Sincerely,

Tonia W. Horton, PhD
Office of Review and Compliance

CC: Ms. Kathy Headrick, Norfolk Southern Corporation

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